

1 DENNIS J. HERRERA, State Bar #139669  
2 City Attorney  
3 JOANNE HOEPER, State Bar #114961  
4 Chief Trial Deputy  
5 ELIZABETH L. DEELEY, State Bar #230798  
6 Deputy City Attorney  
7 Fox Plaza  
8 1390 Market Street, 6<sup>th</sup> Floor  
9 San Francisco, California 94102-5408  
Telephone: (415) 554-3982  
Facsimile: (415) 554-3837  
E-Mail: elizabeth.deeley@sfgov.org

8 Attorneys for Defendant  
9 CITY AND COUNTY OF SAN FRANCISCO,

10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 DENNIS ROZADILLA,

Case No. c04-0909 MEJ

14 Plaintiff,

15 vs.  
16 **STIPULATION AND [PROPOSED]  
17 ORDER TO CHANGE TIME FOR  
DISCOVERY AND DISPOSITIVE  
MOTIONS**

18 SHERIFF MICHAEL HENNESSEY, et  
19 al.,

U.S.D.C. Northern District  
L.R. 6-2

Defendants.

Date Action Filed: July 9, 2004  
Trial Date: July 17, 2007

20  
21 On September 20, 2006 the Court issued an order vacating the case management hearing and  
22 setting deadlines for discovery, dispositive motions and the exchange and filing of trial papers.  
23 Pursuant to the Court's order, the deadlines for expert disclosures is December 18, 2006, rebuttal  
24 expert disclosures is December 28, 2006 and the close of all discovery is January 12, 2006. The  
25 deadline for dispositive motions is February 8, 2007 and the hearing on dispositive motions is  
26 schedule for March 15, 2007.

27 To date, not all individually named defendants have been served. Plaintiff's counsel has  
28 discovered that he had the incorrect names and spellings for at least two individually named

1 defendants. Those defendants have not yet been served. Plaintiff intends to file a corrected amended  
 2 complaint with the correct names and spellings of those defendants, and will serve them promptly  
 3 afterward. In addition, six of the newly named individual defendants are not employed by defendant  
 4 City and County of San Francisco ("City"). These defendants are represented by counsel who was  
 5 not involved in the case at the time that the parties filed there joint case management conference  
 6 statement on September 14, 2007 and who has not yet filed an appearance in the case. Consequently,  
 7 their counsel was not consulted about the proposed July, 2007 trial date suggested by the parties at  
 8 that time or the corresponding deadlines.

9 Since the joint case management conference, the City has served plaintiff with written  
 10 discovery, Plaintiff has taken three fact depositions and the parties have exchanged documents. The  
 11 parties anticipate conducting additional depositions. The City has discovered that there are several  
 12 additional medical providers for Plaintiff whose records have not been produced. Plaintiff does not  
 13 have those records, so the City has issued third party subpoenas to obtain them. The City has not yet  
 14 received those records, and does not anticipate receiving them until the third week in January at the  
 15 earliest. The parties anticipates that their experts may rely on these additional medical records. The  
 16 parties, thus, believe that they need additional time to complete discovery and obtain records. Based  
 17 on this need and the fact that several defendants in this case have not yet been served, the parties by  
 18 and through their undersigned counsel, hereby stipulate to the below changes to the discovery and  
 19 briefing schedule so that they may complete necessary discovery before disclosing experts and in  
 20 sufficient time to file dispositive motions.

- 21       • Change expert disclosure deadline from December 18, 2006 to January 31, 2007
- 22       • Change rebuttal expert disclosures from December 28, 2006 to February 15, 2007
- 23       • Change fact and expert discovery cutoff from January 12, 2006 to March 9, 2007
- 24       • Change deadline for dispositive motions from February 8, 2006 to March 21, 2007
- 25       • Change hearing date for dispositive motions from March 15, 2007 to April 26, 2007

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1 The parties respectfully request that the Court change the current scheduling order to reflect  
2 these changes. The parties have not previously sought to change any of the deadlines set in the  
3 Court's September 20, 2006 scheduling order. These changes should not affect the trial date.

4 Dated: December 13, 2006  
5

6 DENNIS J. HERRERA  
7 City Attorney  
8 JOANNE HOEPER  
Chief Trial Deputy  
ELIZABETH L. DEELEY  
9 Deputy City Attorney

10 By: /s/  
11 ELIZABETH L. DEELEY

12 Attorneys for Defendant  
13 CITY & COUNTY OF SAN FRANCISCO

14 Dated: December 13, 2006 THE LAW OFFICE OF DENNIS CUNNINGHAM

15 By: /s/  
16 DENNIS CUNNINGHAM

17 Attorney for Plaintiff  
18 DENNIS ROZADILLA

19 PURSUANT TO STIPULATION, IT IS SO ORDERED

20  
21 Dated: December 18, 2006

